IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY EIGHTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO: 911 of 2005

Between:

Smt. C. Lalitha, W/o. C. Chinnapu Reddy,
D.No.50/760A-56B, Gayatri Estate,
Kurnool.

... PETITIONER

AND

Gram Panchayat, Dinne Devarapadu Village, Kurnool Mandal,
Kurnool District, represented by the Sarpanch.

...RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ or order or direction more particularly one in the nature of Writ of Mandamus declaring that the inaction of the Respondent in not revalidating permission
dt. 25-7-2001 to construct buildings in land in Sy.No.19 basing on my representations dt. 12-9-2004 and 24-8-2004 is contrary to rule 27 of A.P. Gram Panchayat Land Development (Layout and building) Rules 2002, arbitrary, unreasonable, capricious and violative of Article 14 and 15 of Constitution of India and direct the respondent to renewal the permission basing on my said representations illegal and arbitrary and grant such other relief.

Counsel for the Petitioner: MR.POTTIVENKATA RAMANA RAO

Counsel for the Respondent: SMT.JYOTHI ESWAR GOGINENI

The Court, at the admission stage, made the following:

ORDER:

This writ petition is filed seeking a Mandamus declaring that the inaction of the respondent in not revalidating the permission dated 25-07-2001 to construct buildings in land in Sy.No.19 basing on the petitioner's representations dated 12-09-2004 and 24-08-2004 is illegal and arbitrary.

2. Heard the learned counsel for the petitioner and the learned Standing Counsel appearing on behalf of the respondent and with their consent, the writ petition is being disposed of at the admission stage.

3. Petitioner, with intent to construct building in Sy.No.19 to run an educational institution, applied for sanction along with a plan to the respondent in 1997, who granted permission by his resolution No.6 dated 08-12-1997 and further renewed it by resolution No.4 dated 27-07-2001, on petitioner's representation. It is the case of the petitioner that after renewal of permission, she got the registered sale deed with respect to the land in Sy.No.19 within the limits of the respondent herein, on 10-06-2004. Petitioner states that due to non-registration of sale deed in her favour, she could not construct building according to renewal of permission dated 27-07-2001. Thereafter, she again represented to the respondent on 24-08-2004 and 12-09-2004 requesting it to renew the permission to construct building in Sy.No.19. Petitioner alleges that respondent, neither considered her representations, nor passed any orders, which gave rise to filing the present writ petition.

5. In view of the facts and circumstances of the case, I deem it appropriate to dispose of the writ petition directing the respondent, Gram Panchayat to consider the representations filed by the petitioner requesting renewal of building permission and pass appropriate orders, within a period of three months from today, in accordance with law.

The writ petition is accordingly disposed of at the admission stage.

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N. V. RAMANA, J

January 28, 2005

MRR

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

Copy to:

1. The Sarpanch, Gram Panchayat, Dinne Devarapadu Village,

   Kurnool Mandal, Kurnool District.

2. Two C.D. Copies.